

Remarks

Applicant's last-filed reply pointed out a significant difference between the subject matter of the claims and that which is disclosed in Bennett. According to claim 1, the apparatus is configured to receive messages in the mobile originating (MO) path of the message routing (i.e. messages arrive at the apparatus in MO format). This is in contrast to Bennett's scheme in which the apparatus receives messages that have already passed through a Short Message Service Center (SMSC) of the network, and so must necessarily arrive in mobile terminated (MT) format. This is not an insignificant difference since MO format and MT format messages are fundamentally different, and fundamentally different processing considerations apply to each of them.

In the "Response to Arguments" section of the Office Action, the Examiner explained why the rejections are being maintained. Regarding the comment that MO messages are messages that have not previously passed through an SMSC providing a store and forward function, the Examiner states that this definition is not supported in the specification. The Examiner is correct that the specification does provide a definition of MO messages. This is because the meaning of MO format messages is well understood in the art and is defined in the official telecommunication standards. Thus, there is no need to include a definition of such a well known term in the specification.

The Examiner's attention is directed to definitions in the relevant telecommunication network standards, e.g. the TS 23.040 standard. The following web address leads to the TS 23.040 version 3.2.0 standards definition.

www.3gpp.org/ftp/Specs/1999-10/for-itu/23040-320.pdf

A copy of the document is also being submitted herewith. (More recent versions of the standard are available, but the 3.2.0 version is from before the priority date of the present application. The more recent versions define the relevant features in the same way). The attached document is entitled "3rd Generation Partnership Project; Technical Specification Group Terminals; Technical realization of the Short Message Service (SMS); Point-to-Point (PP) (3G TS 23.040 version 3.2.0)".

The definitions for the MO and MT format messages are given in Section 3.1 of the standard (see pages 11 and 12). Here it is clear that the MO and MT legs of a

message transit relate to different services. It is clear from Figure 03.40/2 (see page 12) that the MO leg concerns message submission from a user (i.e. Mobile station MS) to a Service Center (SC), and from Figure 03.40/1 (see page 12) that the MT leg concerns message delivery from a Service Center (SC) to a user (MS).

Thus any apparatus that receives MO messages, such as the claimed apparatus, must by definition be located before the service center that converts the messages to MT messages. The apparatus in Bennett is located after the Service Center (i.e. after SMSC 26c in Bennett), and so must receive messages in MT form.

The Examiner does point to a part of Bennett that refers to a user sending MO format messages. While this part of Bennett discloses a user sending MO format messages, it is significant that the SMSC 26c in Figure 1 of Bennett necessarily converts the MO format messages from User 16 to MT format messages before delivery to the central Web server/router 24 (indeed this MO to MT conversion is one of the primary tasks of the SMSC, again in accordance with defined telecommunication standards).

Thus, the recitation in claim 1 of messages arriving in MO format necessarily means the apparatus is located before an SMSC rather than after in the case of Bennett. This is because it follows from the definitions of SMSCs and MO and MT format messages in telecommunications networks.

The Examiner further notes that he reads MO messages simply as messages that has been sent from a user toward the network. This is correct up to point, but it is significant that the messages do not remain in MO format during their transit through the network. During routing the messages are necessarily converted from MO format to MT format in an SMSC. The apparatus of claim 1 is defined as receiving MO format messages and so is by definition before an SMSC. Bennett's apparatus necessarily is after an SMSC and so by definition receives MT format messages.

Consequently, the rejections advanced by the Examiner is based on an interpretation of claim terms that is inconsistent with the well known meaning of such terms, i.e. the meaning of a MO message and a MT message, which clearly have different formats and functions according to the established standards. For the reasons previously stated in applicant's last reply and those above stated, the rejections advanced by the Examiner are improper and should be withdrawn.

In view of the foregoing, request is made for timely issuance of a notice of allowance.

Respectfully submitted,

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